

ORDINANCE NUMBER O- 21427 (NEW SERIES)

DATE OF FINAL PASSAGE FEB 03 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE 12-MONTH EXTENSION TO THE MULTIPLE AWARD CONSTRUCTION CONTRACT FOR WATER, WASTEWATER, AND STORMWATER PIPELINE PROJECTS (K-15-1293-MAC-3-A), AS WELL AS 12-MONTH EXTENSIONS TO FIVE TASKS ISSUED UNDER THE MULTIPLE AWARD CONSTRUCTION CONTRACT FOR WATER, WASTEWATER, AND STORMWATER PIPELINE PROJECTS.

WHEREAS, the City entered into a Multiple Award Construction Contract (MACC) for Water, Wastewater, and Stormwater Pipeline Projects (K-15-1293-MAC-3-A) (Agreement) on February 18, 2016, with the following firms: Cass Construction, Inc. (Cass); El Cajon Grading & Engineering Co., Inc. (El Cajon Grading); Orion Construction Corporation/Balboa Construction, Inc., a Joint Venture (Orion/Balboa JV); and TC Construction Company, Inc. (TC Construction) (collectively, the Contractors).

WHEREAS, the Agreement allows for the Contractors to compete for Public Works Projects on a task-order basis pursuant to SDMC 22.3310; and

WHEREAS, a total of eight tasks, each for a period of five years and totaling \$86,418,148.00, were issued under this MACC; and

WHEREAS, on January 12, 2021, City Council approved Ordinance No. O-21281, extending the MACC for 12 months beyond the five-year mark; and

WHEREAS, five of the eight tasks are currently still under construction and will require additional time past the current expiration date in order to complete construction; and

WHEREAS, those five tasks are: (1) AC Water & Sewer Group 1029 (K-17-1496-MAC-3) with Orion/Balboa JV, (2) 16" and Larger CI Water Main and Sewer Replacement Group A (K-17-1556-MAC-3) with Orion/Balboa JV, (3) AC Water & Sewer Group 1024 (K-18-1561-MAC-3) with Orion/Balboa JV, (4) Sewer & AC Water Group 778 (K-16-1371-MAC-3) with TC Construction, (5) La Jolla Scenic Drive Pipeline (K-16-1414-MAC-3) with TC Construction; and

WHEREAS, an additional 12-month extension to the overall Multiple Award Construction Contract K-15-1293-MAC-3-A and additional 12-month extensions to each of the five tasks that were issued under that MACC are now necessary in order to complete construction on those five tasks; and

WHEREAS, under Charter section 99, no contract, agreement, or obligation extending for a period of more than five years may be authorized except by Ordinance approved by a two-thirds majority vote of the City Council; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the City Council hereby authorizes the obligations of the Multiple Award Construction Contract for Water, Wastewater, and Stormwater Pipeline Projects (K-15-1293-MAC-3-A) (Agreement) to extend beyond five for an additional 12 months, for a total of seven years.

Section 2. That the City Council hereby authorizes the obligations of the following five tasks issued under the Agreement to extend beyond five years for an additional 12 months, for a total of seven years:

(1) AC Water & Sewer Group 1029 (K-17-1496-MAC-3) with Orion/Balboa JV.

(2) 16" and Larger CI Water Main and Sewer Replacement Group A (K-17-1556-MAC-3) with Orion/Balboa JV.

(3) AC Water & Sewer Group 1024 (K-18-1561-MAC-3) with Orion/Balboa JV.

(4) Sewer & AC Water Group 778 (K-16-1371-MAC-3) with TC Construction.

(5) La Jolla Scenic Drive Pipeline (K-16-1414-MAC-3) with TC Construction.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Adam R. Wander  
Adam R. Wander  
Deputy City Attorney

ARW:cw  
12/21/21  
Or.Dept: Engineering & Capital Projects  
CC No.: N/A  
Doc. No.: 2844255

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JAN 25 2022.

ELIZABETH S. MALAND

City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 2/3/22  
(date)

Todd Gloria  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JAN 25 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage FEB 03 2022.

AUTHENTICATED BY:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JAN 11 2022, and on FEB 03 2022.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California

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